

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shevani Patel	Team: Team # 5	CCRB Case #: 201307492	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 08/09/2013 11:03 PM	Location of Incident: § 87(2)(b)	Precinct: 41	18 Mo. SOL 2/9/2015	EO SOL 2/9/2015	
Date/Time CV Reported Sat, 08/10/2013 4:58 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 08/16/2013 2:49 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ahsan Zafar	03773	949822	041 PCT
2. POM Scott Berger	10210	948659	041 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ahsan Zafar	Force: PO Ahsan Zafar used physical force against § 87(2)(b)	
B.POM Scott Berger	Force: PO Scott Berger used physical force against § 87(2)(b)	

Case Summary

On August 10, 2013, Sgt. Dervent Williams of the 41st Precinct filed the following complaint on behalf of § 87(2)(b) -old § 87(2)(b) with IAB, where it received log number 13-34677. On August 16, 2013, IAB referred the complaint to the CCRB.

On August 9, 2013, at approximately 11:03 p.m., § 87(2)(b) was being pursued on foot by PO Ahsan Zafar and PO Scott Berger of the 41st Precinct when they took him to the ground in front of § 87(2)(b) in the Bronx (**Allegations A and B**). During the apprehension, PO Zafar kicked and punched § 87(2)(b) in the head (**Allegation A continued**). § 87(2)(b) sustained a bruise to his face and was removed to § 87(2)(b) where he was diagnosed with a fractured jaw. § 87(2)(b) was arrested on multiple charges.

IAB identified PO Zafar and PO Berger as the subject officers. Additionally, § 87(2)(b)'s arrest report lists PO Zafar as his arresting officer. In his statement to IAB, § 87(2)(b) described PO Zafar as an Arabic male who was 5'9", had a medium build and short black hair. A search of EDMS, yielded CCRB case number 201106250, which revealed that PO Zafar is an Asian male who is 5'9" tall, weighs 180 pounds and has black hair. § 87(2)(g)

§ 87(2)(b)

IAB provided only an address for § 87(2)(b). His arrest report in connection with this incident listed the same address and disclosed no telephone numbers. On August 20, 2013 and September 3, 2013, please call letters were sent to § 87(2)(b). These letters were not returned by the United States Postal Service. On August 20, 2013, a search of CTS indicated that § 87(2)(b) did not file any prior complaints with the CCRB. On August 22, 2013, a search of White Pages revealed over 15 results with § 87(2)(b)'s name, but none matched his provided address. On August 23, 2013, a call was made to IAB and it was confirmed that there was no additional contact information for § 87(2)(b). On that same day, a search of the COLES directory of the Bronx yielded negative results for a listed telephone number. On August 27, 2013, a search of the Booking and Arraignment Disposition System revealed four unsealed prior arrest reports. Each of them confirmed his provided address, but no telephone numbers were listed. Additionally, § 87(2)(b) did not make any calls while in custody. On August 29, 2013, a search of Lexis Nexis confirmed § 87(2)(b)'s address, but listed no corresponding telephone numbers. On September 19, 2013, a search of NYC Department of Correction website indicated that § 87(2)(b) was not incarcerated.

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b)

§ 87(2)(b) From September 24, 2013 to September 30, 2013, § 87(2)(b) was called three times in an attempt to retrieve additional contact information for § 87(2)(b). On September 25, 2013, a letter was sent to § 87(2)(b). This letter was not returned by the United States Postal Service. These attempts did not elicit any response from § 87(2)(b). To date, § 87(2)(b) has not contacted the CCRB. § 87(2)(g)

§ 87(2)(b)

Team: 5

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date